

III. REMARKS

1. Claims 1-22 remain in the application. Claims 1, 12, and 19 have been amended. Support for the amendments may be found in the specification, for example, on page 5, lines 1-26, page 6, lines 5-17, and Figure 1.

2. Claim 19 has been amended to overcome the objection stated in the Office Action.

3. Claims 1-4, 9, and 19-22 are patentable over the combination of Phillips (US 6,078,792) and Ford et al. (US 5,625,688, "Ford").

The combination of Phillips and Ford fails to disclose or suggest that the top shell and the bottom shell are mated in a direction along a length of the telephone circuitry from the top end to the bottom end, at a parting line perpendicular to the mating direction and arranged such that a circumference and surface area to be sealed between the top and bottom shell is minimized.

In the present specification on page 6, lines 25-28, telephone circuitry 25 is defined as having a front 58, a back 60, a top 62, and a bottom 64 as shown in Figure 2. Page 6, lines 8-12, describe replacing the top and bottom shell (10, 12) by sliding them opposite to directions 36 and 38, respectively, as shown in Figure 1. For example, page 10, line 33 through page 11, line 3, page 13, 17-21, and page 14, lines 4-6, describe different embodiments of this type of mating.

Thus the top and bottom shells of the present invention are mated in a direction from the top end 62 of telephone circuitry

25 to the bottom end 64 of telephone circuitry 25, as recited in claims 1 and 19.

Applicants respectfully submit that neither Phillips nor Ford show housing shells that mate in this manner. Using the orientation defined in the present invention, it is clear that both Philips and Ford mate in a direction from front 58 to back 60 (Figure 2 of the present invention) as opposed to top 62 to bottom 64.

In addition, the present invention on page 5, lines 16-21, describes a parting line arranged such that a circumference and surface area to be sealed between the top and bottom shell is minimized. In contrast, the housings in both references have a parting line along the longest possible perimeter of their respective housings, resulting in maximizing the distance and surface area to be sealed.

At least for these reasons, Applicants submit that independent claims 1 and 19, and dependent claims 2-4, 9, and 20-22 are patentable over the combination of Phillips and Ford.

4. Claim 5 is patentable over the combination of Phillips and Ford in view of Nothnagel et al. (US 4,397,035 "Nothnagel").

Claim 5 depends from claim 1. Nothnagel, like Phillips and Ford, fails to disclose that the top shell and the bottom shell are mated in a direction along a length of the telephone circuitry from the top end to the bottom end, at a parting line perpendicular to the mating direction and arranged such that a circumference and surface area to be sealed between the top and bottom shell is minimized.

Referring again to the orientation defined in the present invention, Nothnagel discloses mating in a front 58 to back 60 direction (Figure 2 of the present invention) direction, as opposed to top 62 to bottom 64.

In addition, Nothnagel also shows a housing that mates along the longest possible perimeter, which results in maximizing the distance and surface area to be sealed, as opposed to minimizing a circumference and surface area to be sealed between the top and bottom shell.

Therefore the combination of Phillips, Ford, and Nothnagel does not render claim 5 obvious.

5. Claims 6-8, and 10 are patentable over the combination of Phillips and Ford in view of Curtis et al. (US 6,594,472 "Curtis").

Claims 6-8, and 10 depend from claim 1. Applicants respectfully submit that Curtis, like the other references, discloses mating in a direction from front 58 to back 60 as opposed to top 62 to bottom 64 as shown in Figure 2 of the present invention.

Curtis also shows a housing that mates along the longest possible perimeter, maximizing the distance and surface area to be sealed, as opposed to minimizing these features.

Thus, the combination of Phillips, Ford, and Curtis fails to disclose or suggest that the top shell and the bottom shell are mated in a direction along a length of the telephone circuitry from the top end to the bottom end, at a parting line perpendicular to the mating direction and arranged such that a circumference and surface area to be sealed between the top and bottom shell is minimized, as recited by claim 1.

For these reasons, claims 6-8, and 10 are patentable over the combination of Phillips, Ford, and Curtis.

6. Claim 11 is patentable over the combination of Phillips, and Ford in view of Carlson et al. (US 5,241,592 "Carlson").

Claim 11 depends from claim 1. Carlson fails to supply the features missing from the combination of Phillips, Ford, and Curtis, that the top shell and the bottom shell are mated in a direction along a length of the telephone circuitry from the top end to the bottom end, at a parting line perpendicular to the mating direction and arranged such that a circumference and surface area to be sealed between the top and bottom shell is minimized.

Therefore, claim 11 is patentable over the combination of Phillips, Ford, Curtis, and Carlson.

7. Claims 12-17 are patentable over the combination of Phillips, Nothnagel, Curtis, and Ford.

The combination of Phillips, Nothnagel, Curtis, and Ford fails to disclose that the first shell and the second shell are disconnectable by a mobile communication device user toward a top end and a bottom end, respectively, of telephone circuitry within the housing, at a parting line perpendicular to a disconnecting direction and arranged such that a circumference and surface area to be sealed between the first and second shell is minimized, as recited by claim 12.

As mentioned above, the present specification on page 6, lines 25-28, describes telephone circuitry 25 as having a front 58, a back 60, a top 62, and a bottom 64 as shown in Figure 2. Page 6, lines 5-8, describes removing the top shell 10 and bottom

shell 12 by sliding them in directions 36 and 38, respectively, as shown in Figure 1. Another embodiment that disconnects in this manner is described, for example, on page 13, lines 13-16.

As shown and described, the top and bottom shells of the present invention disconnect in a direction toward the top end 62 of telephone circuitry 25 and the bottom end 64 of telephone circuitry 25, respectively, as recited by claim 12.

Applicants respectfully submit that neither Phillips, Nothnagel, Curtis, nor Ford show housing shells that disconnect in this manner. All the cited references have housing shells that disconnect toward a front 58 and back 60, as opposed to toward a top 62 and bottom 64 of the telephone circuitry as described in the present specification with respect to Figure 2, and as recited in claim 12.

In addition, claim 12 recites that the shells disconnect at a parting line perpendicular to a disconnecting direction and arranged such that a circumference and surface area to be sealed between the first and second shell is minimized. All the references show a parting line along the longest possible perimeter of their respective housings, resulting in maximizing the distance and surface area to be sealed as opposed to minimizing the distance and surface area.

Therefore, independent claim 12 and dependent claims 13-17 are patentable over the combination of Phillips, Nothnagel, and Curtis.

8. Claim 18 is patentable over the combination of Phillips, Nothnagel, Curtis, and Ford in view of Carlson.


Claim 18 depends from claim 12. There is no disclosure in Carlson related to the features missing from the combination of Phillips, Nothnagel, Curtis, and Ford, that is, that the first shell and the second shell are disconnectable by a mobile communication device user toward a top end and a bottom end, respectively, of telephone circuitry within the housing, at a parting line perpendicular to a disconnecting direction and arranged such that a circumference and surface area to be sealed between the first and second shell is minimized.

Therefore, claim 18 is patentable over the combination of Phillips, Nothnagel, Curtis, Ford, and Carlson.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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Date

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